

## DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548

FILE: B-208129

DATE: November 10, 1982

MATTER OF: Harry G. Spokowski

**DIGEST:** An individual traveling on a Department of Defense invitational order is not entitled to the amount claimed as expenses for lodging at a relative's home instead of staying in commercial lodging. The giving of other remuneration in the form of a gift or meal is unrelated to the cost of the stay and cannot be considered a lodging cost, and its reimbursement is specifically prohibited by the Joint Travel Regulations.

The Defense Logistics Agency requests our decision on whether an individual traveling on a Department of Defense invitational order may be paid expenses for lodging at his daughter's home while on temporary duty. Payment is not authorized since applicable paragraph C-4611-1(i) of Volume 2 of the Joint Travel Regulations (2 JTR) governing travel of employees specifically prohibits payments for utilization of lodging as a guest of relatives while on temporary duty.

Under invitational order No. 2929-81, Defense Logistics Agency Administrative Support Center, dated July 2, 1981, as amended by order dated July 24, 1981, Mr. Harry G. Spokowski, who is not a regular Government employee, traveled to Alexandria, Virginia, during the period June 27 through July 1, 1981. All expenses of his travel have been paid except lodging costs of \$60 consisting of \$20 per day for June 28-30, 1981, he claimed for staying at his daughter's home while he was at Alexandria.

Mr. Spokowski's claim was denied based on Matter of McGranahan, B-198349, 60 Comp. Gen. 57 (1980), where a similar claim by a member of the uniformed services for reimbursement of expenses for lodging provided by a friend was denied based upon Department of Defense Joint Travel Regulations, even though the member paid

his friend rent for the lodging. Mr. Spokowski appeals the determination on his claim contending that the prohibition in the Joint Travel Regulations is not applicable since he paid for his stay in a private home by money remuneration as well as other means, including dinners at restaurants, and the Government saved money because he did not stay in a hotel.

Mr. Spokowski, while traveling under the invitational travel orders, was entitled to travel allowances similar to allowances payable to Government employees traveling under the same circumstances and subject to similar restrictions. See 5 U.S.C. §§ 5701 and 5703. The implementing regulations providing for such allowances are found in the Federal Travel Regulations, FPMR 101-7 (May 1973), which in paragraphs 1-7.3a and 1-8.1a (FPMR Temp. Reg. A-11, Supp. 4) place the responsibility on each agency and department to authorize only such allowances as are justified by the circumstances affecting the travel.

The authority for administration of travel of employees of the Department of Defense is contained in Chapter 1, Part A, Volume 2 of the Joint Travel Regulations (2 JTR). Paragraph C1000-1.3, of 2 JTR, states that the provisions apply to persons who perform official temporary assignments under Department of Defense invitational travel orders involving Government business.

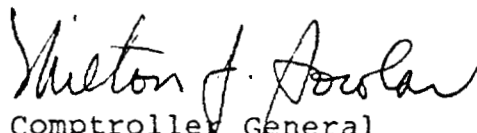
Paragraph C4611-1(i), 2 JTR, implementing the requirements of paragraphs 1-7.3a and 1-8.1a of the Federal Travel Regulations, provides that if an employee stays with friends or relatives while on temporary duty, no cost of lodging will be allowed, whether or not any payment for lodging is paid to the friend or relative.

In addition, we held in Matter of Amster, B-64193, March 14, 1978, that a Navy employee who lodged without cost at the home of a friend while on temporary duty may not be reimbursed \$30 spent for a gift for the host and for taking the host to dinner. Although the giving of a gratuity under such circumstances may be customary, the cost of such gift or meal is unrelated to the

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additional cost occasioned the host by the employee's stay and cannot be considered a lodging cost. Matter of Foltz, 55 Comp. Gen. 856 (1976); Matter of Stratton, 56 Comp. Gen. 321 (1977).

Accordingly, Mr. Spokowski may not be paid the \$60 he claims for lodging at his daughter's home while on temporary duty.

*for*   
Comptroller General  
of the United States